



# HOUSE BILL 1714: Suspension and Revocation of Fishing Licenses

2009-2010 General Assembly

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<b>Committee:</b>		<b>Date:</b>	July 26, 2010
<b>Introduced by:</b>	Representatives Wainwright, Spear, and Underhill	<b>Prepared by:</b>	Jeff Hudson Staff Attorney
<b>Analysis of:</b>	S.L. 2010-145		

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**SUMMARY:** *S.L. 2010-145 directs the Marine Fisheries Commission to adopt rules to provide for the suspension, revocation, and reissuance of marine fisheries licenses and make conforming changes.*

*House Bill 1714 was a recommendation of the Joint Legislative Commission on Seafood and Aquaculture.*

[As introduced, this bill was identical to S1269, as introduced by Sen. Albertson.]

## CURRENT LAW:

Under current law, the suspension, revocation, and reissuance of commercial fishing licenses is governed by G.S. 113-171. There is no similar law for the suspension, revocation, and reissuance of recreational fishing licenses.

## BILL ANALYSIS:

S.L. 2010-145 directs the Marine Fisheries Commission to adopt rules for the suspension, revocation, and reissuance of commercial and recreational coastal fishing licenses. Such rules could not become effective prior to October 1, 2012. In adopting the rules, the Commission would consider:

- The existing suspension, revocation, and reissuance statute.
- Whether the rules should differentiate between minor and major violations.
- How to define minor and major violations.
- How service of revocation could be made more efficient.
- How the rules should treat violations related to recreational fishing licenses and permits.
- Whether violations related to littering or assault on a marine patrol inspector should be treated as grounds for suspension or revocation.
- Whether suspension and revocation provisions should be strengthened in cases of harvesting shellfish from polluted waters.

S.L. 2010-145 also makes conforming changes to the existing suspension, revocation, and reissuance statute, G.S. 113-171.

**EFFECTIVE DATE:** Except for the conforming changes to G.S. 113-171, which become effective October 1, 2012, S.L. 2010-145 became effective July 22, 2010.

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